

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

IQVIA HOLDINGS INC.,

and

PROPEL MEDIA, INC.

Defendants.

Case No. 1:23-cv-06188-ER

**DECLARATION OF
CHANTALE FIEBIG**

CHANTALE FIEBIG, an attorney duly admitted to practice in the Southern District of New York, declares the following under penalty of perjury:

1. I am a partner at the law firm of Weil, Gotshal & Manges LLP, counsel for Defendant IQVIA Holdings Inc. I respectfully submit this Declaration in Opposition to the FTC's Motion for a Preliminary Injunction.

2. Attached hereto as Exhibit 1 is a true and correct copy of DX0118, the VideoWeek article by Tim Cross, *Magnite Circumvents DSPs with Launch of ClearLine*.

3. Attached hereto as Exhibit 2 is a true and correct copy of DX0111, the eMarketer report, *US Healthcare and Pharma Digital Ad Spending: Adjusting to the New Normal in Digital Engagement*.

4. Attached hereto as Exhibit 3 is a true and correct copy of DX0119, the Yahoo! Finance article from Optimize RX Corp., *Optimize Rx Announces Agreement to Acquire Medicx Health for \$95 Million to Expand its Omnichannel Reach to Consumers*.

5. Attached hereto as Exhibit 4 is a true and correct copy of DX0114, the Digiday article by Seb Joseph, *"Capture what may go to outside tech providers": WPP's Mark Read Says It Will Rival Ad Tech Buyers*.

6. Attached hereto as Exhibit 5 is a true and correct copy of DX0081, [REDACTED]

7. Attached hereto as Exhibit 6 is a true and correct copy of DX0082, [REDACTED]

8. Attached hereto as Exhibit 7 is a true and correct copy of DX0083, [REDACTED]

9. Attached hereto as Exhibit 8 is a true and correct copy of DX0021, the Deposition Transcript of Kathleen Alderink.

10. Attached hereto as Exhibit 9 is a true and correct copy of DX0010, the Declaration of [REDACTED]

11. Attached hereto as Exhibit 10 is a true and correct copy of DX0068, the Deposition Transcript of [REDACTED]

12. Attached hereto as Exhibit 11 is a true and correct copy of DX0012, the [REDACTED]

13. Attached hereto as Exhibit 12 is a true and correct copy of DX0071, the [REDACTED]

14. Attached hereto as Exhibit 13 is a true and correct copy of DX0058, the [REDACTED]

15. Attached hereto as Exhibit 14 is a true and correct copy of DX0042, the Deposition Transcript of Michael Colarossi.

16. Attached hereto as Exhibit 15 is a true and correct copy of DX0085, a document produced by DeepIntent bearing the Bates number range DI-2R-0000972398–DI-2R-0000972399.

17. Attached hereto as Exhibit 16 is a true and correct copy of DX0086, a document produced by DeepIntent bearing the Bates number range DI-2R-0000998370–DI-2R-0000998372.

18. Attached hereto as Exhibit 17 is a true and correct copy of DX0087, a document produced by DeepIntent bearing the Bates number range DI-2R-0001289952–DI-2R-0001289954.

19. Attached hereto as Exhibit 18 is a true and correct copy of DX0088, a document produced by DeepIntent bearing the Bates number range DI-2R-0001343355–DI-2R-0001343358.

20. Attached hereto as Exhibit 19 is a true and correct copy of DX0089, a document produced by DeepIntent bearing the Bates number range DI-2R-0001822074–DI-2R-0001822076.

21. Attached hereto as Exhibit 20 is a true and correct copy of DX0090, a document produced by DeepIntent bearing the Bates number DI-2R-0001947265.

22. Attached hereto as Exhibit 21 is a true and correct copy of DX0091, a document produced by DeepIntent bearing the Bates number range DI-2R-0002225637–DI-2R-0002225665.

23. Attached hereto as Exhibit 22 is a true and correct copy of DX0092, a document produced by DeepIntent bearing the Bates number range DI-2R-0002680359– DI-2R-0002680360.

24. Attached hereto as Exhibit 23 is a true and correct copy of DX0093, a document produced by DeepIntent bearing the Bates number DI-2R-0002753533.

25. Attached hereto as Exhibit 24 is a true and correct copy of DX0094, a document produced by DeepIntent bearing the Bates number DI-2R-0002940292.

26. Attached hereto as Exhibit 25 is a true and correct copy of DX0095, a document produced by DeepIntent bearing the Bates number DI-2R-0002945488.

27. Attached hereto as Exhibit 26 is a true and correct copy of DX0096, a document produced by DeepIntent bearing the Bates number DI-2R-0003749889.

28. Attached hereto as Exhibit 27 is a true and correct copy of DX0097, a document produced by DeepIntent bearing the Bates number range DI-LIT-0000128297–DI-LIT-0000128314.

29. Attached hereto as Exhibit 28 is a true and correct copy of DX0098, a document produced by DeepIntent bearing the Bates number range DI-LIT-0000381875–DI-LIT-0000381880.

30. Attached hereto as Exhibit 29 is a true and correct copy of DX0039, the Deposition Transcript of Michael DiNorscio.

31. Attached hereto as Exhibit 30 is a true and correct copy of DX0008, the

[REDACTED]

32. Attached hereto as Exhibit 31 is a true and correct copy of DX0035, the

[REDACTED]

33. Attached hereto as Exhibit 32 is a true and correct copy of DX0032, the Deposition Transcript of Dave Escalante.

34. Attached hereto as Exhibit 33 is a true and correct copy of DX0070, the Deposition Transcript of [REDACTED]

35. Attached hereto as Exhibit 34 is a true and correct copy of DX0030, the Deposition Transcript of Greg Field.

36. Attached hereto as Exhibit 35 is a true and correct copy of DX0025, the Deposition Transcript of Jody Fisher.

37. Attached hereto as Exhibit 36 is a true and correct copy of DX0007, the

[REDACTED]

38. Attached hereto as Exhibit 37 is a true and correct copy of DX0049, the

[REDACTED]

39. Attached hereto as Exhibit 38 is a true and correct copy of DX0099, a document produced by the FTC bearing the Bates number FTC_IQVIA_00000600.

40. Attached hereto as Exhibit 39 is a true and correct copy of DX0066, the

[REDACTED]

41. Attached hereto as Exhibit 40 is a true and correct copy of DX0064, the

[REDACTED]

42. Attached hereto as Exhibit 41 is a true and correct copy of DX0100, a document produced by [REDACTED] bearing the Bates number GOOG-IQVIA-00000784.

43. Attached hereto as Exhibit 42 is a true and correct copy of DX0101, a document produced by [REDACTED] bearing the Bates number GOOG-IQVIA-00001695

44. Attached hereto as Exhibit 43 is a true and correct copy of DX0060, the

[REDACTED]

45. Attached hereto as Exhibit 44 is a true and correct copy of the Rough Deposition Transcript of Dr. Kostis Hatzitaskos.

46. Attached hereto as Exhibit 45 is a true and correct copy of DX0074, the Expert Report of Dr. Kostis Hatzitaskos.

47. Attached hereto as Exhibit 46 is a true and correct copy of DX0122, Exhibit 1 to the Expert Report of Dr. Kostis Hatzitaskos.

48. Attached hereto as Exhibit 47 is a true and correct copy of DX0036, the

[REDACTED]

49. Attached hereto as Exhibit 48 is a true and correct copy of DX0077, the Expert Report of Dr. Yael Hochberg.

50. Attached hereto as Exhibit 49 is a true and correct copy of DX0013, the

[REDACTED]

51. Attached hereto as Exhibit 50 is a true and correct copy of DX0014, the

[REDACTED]

52. Attached hereto as Exhibit 51 is a true and correct copy of DX0051, the

[REDACTED]

53. Attached hereto as Exhibit 52 is a true and correct copy of DX0117, IQVIA's Amended Responses and Objections to the FTC's Second Set of Interrogatories.

54. Attached hereto as Exhibit 53 is a true and correct copy of DX0112, IQVIA's FY2022 Form 10-K.

55. Attached hereto as Exhibit 54 is a true and correct copy of DX0102, a document produced by IQVIA bearing the Bates number range IQVIA-FTC-000118824- IQVIA-FTC-000118826.

56. Attached hereto as Exhibit 55 is a true and correct copy of DX0103, a document produced by IQVIA bearing the Bates number IQVIA-FTC-001321061.

57. Attached hereto as Exhibit 56 is a true and correct copy of DX0104, a document produced by IQVIA bearing the Bates number IQVIA-FTC-001881702.

58. Attached hereto as Exhibit 57 is a true and correct copy of DX0105, a document produced by IQVIA bearing the Bates number range IQVIA-FTC-002573835-IQVIA-FTC-002573837.

59. Attached hereto as Exhibit 58 is a true and correct copy of DX0106, a document produced by IQVIA bearing the Bates number range IQVIA-FTC-003244637–IQVIA-FTC-003244648.

60. Attached hereto as Exhibit 59 is a true and correct copy of DX0107, a document produced by IQVIA bearing the Bates number IQVIA-FTC-100608812.

61. Attached hereto as Exhibit 60 is a true and correct copy of DX0108, a document produced by IQVIA bearing the Bates number range IQVLIT-000125792–IQVLIT-000125807.

62. Attached hereto as Exhibit 61 is a true and correct copy of DX0109, a document produced by IQVIA bearing the Bates number range IQVLIT-000792111–IQVLIT-000792114.

63. Attached hereto as Exhibit 62 is a true and correct copy of DX0110, a document produced by IQVIA bearing the Bates number range IQVLIT-000792115–IQVLIT-000792117.

64. Attached hereto as Exhibit 63 is a true and correct copy of DX0113, a document produced by IQVIA bearing the Bates number range IQVLIT-000798670–IQVLIT-000798712.

65. Attached hereto as Exhibit 64 is a true and correct copy of DX0115, a document produced by IQVIA bearing the Bates number range IQVLIT-000798713–IQVLIT-000798848.

66. Attached hereto as Exhibit 65 is a true and correct copy of **DX0076**, the Expert Report of Dr. Mark A. Israel.

67. Attached hereto as Exhibit 66 is a true and correct copy of DX0011, the

[REDACTED]

68. Attached hereto as Exhibit 67 is a true and correct copy of DX0075, the Expert Report of Dr. Anupam B. Jena.

69. Attached hereto as Exhibit 68 is a true and correct copy of DX0001, the

[REDACTED]

70. Attached hereto as Exhibit 69 is a true and correct copy of DX0033, the

[REDACTED]

71. Attached hereto as Exhibit 70 is a true and correct copy of DX0057, the

[REDACTED]

72. Attached hereto as Exhibit 71 is a true and correct copy of DX0023, the
Deposition Transcript of Frank Lin.

73. Attached hereto as Exhibit 72 is a true and correct copy of DX0029, the
Deposition Transcript of John Mangano.

74. Attached hereto as Exhibit 73 is a true and correct copy of DX0044, the
Deposition Transcript of Jay Margolis.

75. Attached hereto as Exhibit 74 is a true and correct copy of DX0020, the
Deposition Transcript of Barry Miller.

76. Attached hereto as Exhibit 75 is a true and correct copy of DX0031, the
Deposition Transcript of Jane O'Brien.

77. Attached hereto as Exhibit 76 is a true and correct copy of DX0002, the

[REDACTED]

78. Attached hereto as Exhibit 77 is a true and correct copy of DX0009, the

[REDACTED]

79. Attached hereto as Exhibit 78 is a true and correct copy of DX0055, the

[REDACTED]

80. Attached hereto as Exhibit 79 is a true and correct copy of DX0026, the
Deposition Transcript of Christopher Paquette.

81. Attached hereto as Exhibit 80 is a true and correct copy of the PX6007,

[REDACTED]

82. Attached hereto as Exhibit 81 is a true and correct copy of DX0040, the Deposition Transcript of Jared Pobre.

83. Attached hereto as Exhibit 82 is a true and correct copy of **DX0121**, a document produced by PulsePoint bearing the Bates number range PP00054–PP00061.

84. Attached hereto as Exhibit 83 is a true and correct copy of PX0009.

85. Attached hereto as Exhibit 84 is a true and correct copy of PX2511.

86. Attached hereto as Exhibit 85 is a true and correct copy of PX2812.

87. Attached hereto as Exhibit 86 is a true and correct copy of PX2816.

88. Attached hereto as Exhibit 87 is a true and correct copy of PX2818.

89. Attached hereto as Exhibit 88 is a true and correct copy of PX4167.

90. Attached hereto as Exhibit 89 is a true and correct copy of DX0037, the Deposition Transcript of Jon Resnick.

91. Attached hereto as Exhibit 90 is a true and correct copy of DX0018, the Deposition Transcript of Ross Sandler.

92. Attached hereto as Exhibit 91 is a true and correct copy of DX0022, the Deposition Transcript of Stephan Serfontein.

93. Attached hereto as Exhibit 92 is a true and correct copy of DX0019, the Deposition Transcript of Anthony Sherry.

94. Attached hereto as Exhibit 93 is a true and correct copy of DX0073, the

[REDACTED]

95. Attached hereto as Exhibit 94 is a true and correct copy of DX0120, a document produced by Throtle bearing the Bates number Throtle-0004376.

96. Attached hereto as Exhibit 95 is a true and correct copy of DX0003, the

[REDACTED]

97. Attached hereto as Exhibit 96 is a true and correct copy of DX0027, the Deposition Transcript of Robert Whiting.

98. Attached hereto as Exhibit 97 is a true and correct copy of DX0047, the

[REDACTED]

99. Attached hereto as Exhibit 98 is a true and correct copy of DX0015, the

[REDACTED]

100. Attached hereto as Exhibit 99 is a true and correct copy of DX0116, a document produced by IQVIA bearing the Bates number IQVLIT-000799503.

Dated: November 9, 2023

Respectfully submitted,

/s/ Chantale Fiebig

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